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**From:** McGill, Thomas [Mcgill.Thomas@epa.gov]  
**Sent:** 7/22/2019 11:56:45 AM  
**To:** Wetherington, Michele [Wetherington.Michele@epa.gov]; Laycock, Kelly [Laycock.Kelly@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]; O'Lone, Dan [Olone.Dan@epa.gov]  
**CC:** Wylie, Mike [Wylie.Mike@epa.gov]  
**Subject:** RE: Pine Hope

## Ex. 5 Attorney Client (AC)

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**From:** Wetherington, Michele  
**Sent:** Thursday, July 18, 2019 5:58 PM  
**To:** McGill, Thomas <Mcgill.Thomas@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>  
**Cc:** Wylie, Mike <Wylie.Mike@epa.gov>  
**Subject:** RE: Pine Hope

Hi Tom,

## Ex. 5 Attorney Client (AC)

Thanks,

Michele

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**From:** McGill, Thomas  
**Sent:** Wednesday, July 17, 2019 5:22 PM  
**To:** Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; O'Lone, Dan <Olone.Dan@epa.gov>  
**Cc:** Wetherington, Michele <Wetherington.Michele@epa.gov>; Wylie, Mike <Wylie.Mike@epa.gov>  
**Subject:** RE: Pine Hope

Please note, I recognize the Directors and potentially the RA will need to weigh-in. I just want to be clear on the delegation of the 404(f) decision.

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**From:** McGill, Thomas

**Sent:** Wednesday, July 17, 2019 5:21 PM

**To:** Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; O'Lone, Dan <[Olone.Dan@epa.gov](mailto:Olone.Dan@epa.gov)>

**Cc:** Wetherington, Michele <[Wetherington.Michele@epa.gov](mailto:Wetherington.Michele@epa.gov)>; Wylie, Mike <[Wylie.Mike@epa.gov](mailto:Wylie.Mike@epa.gov)>

**Subject:** RE: Pine Hope

Michele – If EPA Region were to make a “special” 404(f) “determination”, I want to make sure I understand the appropriate signature level given our current HQ/Regional delegation. I believe the determination is made at the section chief level...is that correct?

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**From:** Laycock, Kelly

**Sent:** Wednesday, July 17, 2019 9:56 AM

**To:** Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; O'Lone, Dan <[Olone.Dan@epa.gov](mailto:Olone.Dan@epa.gov)>

**Cc:** Wetherington, Michele <[Wetherington.Michele@epa.gov](mailto:Wetherington.Michele@epa.gov)>; Wylie, Mike <[Wylie.Mike@epa.gov](mailto:Wylie.Mike@epa.gov)>

**Subject:** FW: Pine Hope

Michele,

I agree a meeting with Wetland Reg and Wetland Enforcement on how to proceed with this is necessary. I will try to find a time that works for everyone next week and send a meeting invite shortly.

Kelly Laycock  
Wetlands Regulatory Section  
U.S. Environmental Protection Agency  
61 Forsyth St.  
Atlanta GA, 30303  
phone 404 562 9132

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**From:** Wetherington, Michele

**Sent:** Tuesday, July 16, 2019 6:32 PM

**To:** Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Wylie, Mike <[Wylie.Mike@epa.gov](mailto:Wylie.Mike@epa.gov)>

**Subject:** FW: Pine Hope

Kelly and Mike,

# Ex. 5 Attorney Client (AC)

# Ex. 5 Attorney Client (AC)

Thanks,


Michele

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**From:** Drake, Beth (USASC) <[Beth.Drake@usdoj.gov](mailto:Beth.Drake@usdoj.gov)>  
**Sent:** Monday, July 15, 2019 1:07 PM  
**To:** Andrews, Brook (USASC) <[Brook.Andrews@usdoj.gov](mailto:Brook.Andrews@usdoj.gov)>  
**Cc:** Wetherington, Michele <[Wetherington.Michele@epa.gov](mailto:Wetherington.Michele@epa.gov)>  
**Subject:** RE: Pine Hope

Thanks, Brook. I'll take it from here.

Michele, I inherited this case from Brook. The attached e-mail is the last I have heard from the Corps. As I recall, this was a referral from the Corps and they were reconsidering the effect of the regulatory limbo/mess on definition of WOTUS. Please call me to update from your end.

  
Beth Drake  
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803.920.1867 (c)  
[beth.drake@usdoj.gov](mailto:beth.drake@usdoj.gov)

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**From:** Andrews, Brook (USASC) <[BAndrews@usa.doj.gov](mailto:BAndrews@usa.doj.gov)>  
**Sent:** Wednesday, July 10, 2019 3:40 PM  
**To:** Drake, Beth (USASC) <[BDrake@usa.doj.gov](mailto:BDrake@usa.doj.gov)>  
**Cc:** [wetherington.michele@epa.gov](mailto:wetherington.michele@epa.gov)  
**Subject:** Pine Hope

Hi Beth – Michele Wetherington with EPA Region 4 reached out to me with some questions about Pine Hope. I told her that you would be the best point of contact for any questions regarding the status of that matter. I've copied Michele here so that you two might be in touch when you return to the office.

Best regards,

Brook

Brook B. Andrews  
Assistant U.S. Attorney  
District of South Carolina  
1441 Main Street, Suite 500  
Columbia, South Carolina 29201  
Direct: 803-929-3056